

PETITION FOR ZONING VARIANCE 84-67-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and do hereby petition for a Variance from Section 13.02.3, C.1., to permit a side yard setback of 12' instead of the required 25' or a front yard setback of 12' and a rear yard setback of 10' in lieu of the required 25' and 30', respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Lot only 50' Wide

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Address
City and State
Telephone No.

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted

MAP
ELECTION
DISTRICT
B.T.C.
TYPE
H.C.A. #
BY

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of July, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of September, 1983, at 9:45 o'clock P.M.

Call John
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE Corner of Larue & Geise :
Aves., 15th District : OF BALTIMORE COUNTY
NILES W. MARTIN, Petitioner : Case No. 84-67-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

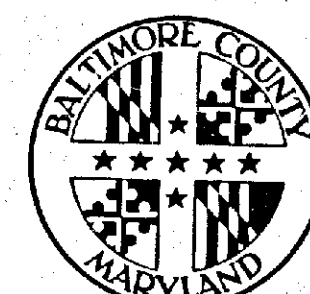
I HEREBY CERTIFY that on this 15th day of August, 1983, a copy of the foregoing Order was mailed to Mr. Niles W. Martin, 917 Oakleigh Beach Road, Baltimore, MD 21222, Petitioner.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 30, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Niles W. Martin
917 Oakleigh Beach Road
Baltimore, Maryland 21222

RE: Item No. 5 - Case No. 84-67-A
Petitioner - Niles W. Martin
Variance Petition

Dear Mr. Martin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct a dwelling on the subject property, which is only 50' wide, this hearing for setbacks is required.

As we discussed in our conversations, the requests have been advertised in such a way that, if granted, the house can front either Larue or Geise Avenues.

For further explanation of the comments from the Department of Permits and Licenses, you may contact Mr. Charles Burnham at 494-3987.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: August 2, 1983
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #275 - Steven J. & Theola S. Toole
- Item #2 - Jack Irwin Brown, et al
- Item #3 - Maryland Builders, Inc.
- Item #5 - Niles W. Martin
- Item #7 - Paul E. & Alberta C. Molder
- Item #9 - Buxton Country School

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/rth

Item #5 (1983-1984)
Property Owner: Niles W. Martin
Page 2
August 8, 1983

Storm Drains: (Cont'd)

The property to be developed is located adjacent to tidewater. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential and commercial development.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Geise and Larue Avenues.

The Petitioner is responsible for the entire cost of capping and plugging any service connections not used to serve a new dwelling.

Very truly yours,

Robert A. Morton, P.E.
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EDM:FWR:ss

A-NE Key Sheet
27 SE 31 Pos. Sheet
SE 7 H Topo
111 Tax Map



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 2, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 275, 276, 1, 4, 5, 6, 7, 8, 9, 10, and 11. ZAC-Meeting of July 5, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 275, 276, 1, 4, 5, 6, 7, 8, 9, 10, and 11.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/ccm



HARRY J. PISTEL, P.E.
DIRECTOR

August 8, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #5 (1983-1984)
Property Owner: Niles W. Martin
N/E cor. Larue Ave. and Geise Ave.
Acres: Lot #250, Sec. B, "Chesapeake Terrace"
District: 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Geise and Larue Avenues, existing public roads, are proposed to be further improved in the future as 30-foot closed section roadways on 40-foot rights-of-way, with a fillet area for sight distance at their intersection.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This property is adjacent to tidewater, subject to tidal flooding by Jones Creek to Elevation 8.676 of record (Baltimore County Datum).

ORDER RECEIVED FOR FILING

DATE Sept. 7, 1983
BY Mary Conroy (Cub)
Administrative Assistant

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 7th day of September, 1983, that the herein Petition for Variance(s) to permit a front yard setback of 12 feet and a rear yard setback of 10 feet in lieu of the required 25 feet and 30 feet, respectively, for the expressed purpose of constructing a dwelling fronting on Larue Avenue, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Office of Planning and Zoning.

IT IS FURTHER ORDERED that the Petition for Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet is hereby DISMISSED.

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

PETITION FOR VARIANCE

15th Election District

ZONING: Petition for Variance
LOCATION: Northeast corner of Larue and Geise Avenues
DATE & TIME: Tuesday, September 6, 1983 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 12 ft. instead of the required 25 ft. or a front yard setback of 12 ft. and a rear yard setback of 10 ft. in lieu of the required 25 ft. and 30 ft., respectively

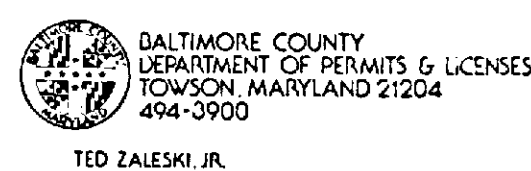
The Zoning Regulation to be excepted as follows:
Section 1B02.3C.1 - side, front and rear yard setbacks in D.R. 5.5 zone

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Niles W. Martin, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, September 6, 1983 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



July 28, 1983

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond

Comments on Item # 5 Zoning Advisory Committee Meeting July 5, 1983 are as follows:

Property Owner: Niles W. Martin
Location: NE/Cor. Larue Ave. and Geise Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 12' in lieu of the required 25'.

Address: Lot #250, Sec. B "Chesapeake Terrace"

Map: 15

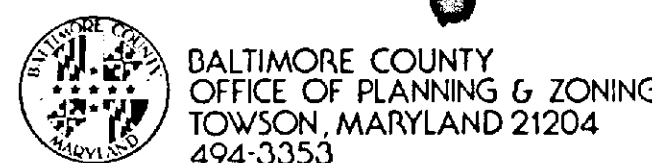
The items checked below are applicable:

- All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Age, and other applicable Codes.
- A building and other miscellaneous permits shall be required before beginning construction.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 1407 and Table 1408.
- Requested variance conflicts with the Baltimore County Building Code, Section 1-82.
- A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed, comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- Comments: Finish floors including basements shall be 1'-0" above the established 100 year storm (10.02). See Sect. 519.1 of Balto. Co. Building Code as amended by Bill 1-82.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

GBH:ryj
PUBN 01-82



ARNOLD JABLON
ZONING COMMISSIONER

August 31, 1983

Mr. Niles W. Martin
917 Oakleigh Beach Road
Baltimore, Maryland 21222

Re: Petition for Variance
NE/Corner Larue and Geise Avenues
Case No. 84-67-A

Dear Mr. Martin:

This is to advise you that \$59.85 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 121509

DATE 9/6/83 ACCOUNT R-01-615-000

AMOUNT \$59.85

RECEIVED Niles W. Martin
FOR Advertising & Posting Case #84-67-A

8 015*****59851b 807WA

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: July 5, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 5, 1983

RE: Item No: 275, 276, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 21, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

o/o
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 5
Petitioner - Niles W. Martin
Variance Petition

Dear Mr. Martin:

Recently, a meeting was held with various members of this Committee in order to discuss the above referenced petition. At that time, it was verbally indicated that revised site plans, reflecting comments from the following department(s), would be required.

Department of Permits & Licenses - C. E. Burnham
494-3987

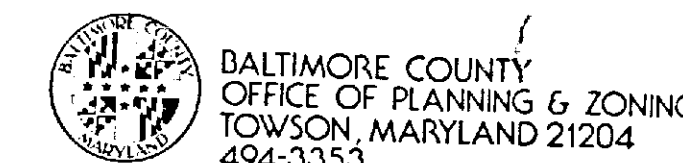
In order to avoid any future delays in processing this petition, I urge you to personally contact the representative(s) from the above department(s) and discuss the required revisions. When discussing this petition, it should be referred to by the item number. Since it will save you approximately 3-4 weeks in the processing of your petition, this matter should be pursued immediately.

After discussing the comments with the above representative(s), you should contact me at 494-3391 in order to determine the outcome of said discussion and what your future course of action will be.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc

file



ARNOLD JABLON
ZONING COMMISSIONER

September 7, 1983

Mr. Niles W. Martin
917 Oakleigh Beach Road
Baltimore, Maryland 21222

RE: Petition for Variances
NE/Corner of Larue and Geise Aves.-
15th Election District
Niles W. Martin - Petitioner
NO. 84-67-A (Item No. 5)

Dear Mr. Martin:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner Date: August 12, 1983

FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Niles W. Martin
84-67-A

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:cav

August 9, 1983

Mr. Niles W. Martin
917 Oakleigh Beach Road
Baltimore, Maryland 21222

NOTICE OF HEARING
Re: Petition for Variance
NE/corner Larue & Geise Avenues
Case No. 84-67-A

TIME: 9:45 A.M.
DATE: Tuesday, September 6, 1983
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Ed Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 117686

DATE: 8-27-83 ACCOUNT: R-01-615-001
AMOUNT: 35.00
RECEIVED FROM: *Ed Jablon to Niles W. Martin*
FOR: *(65)*
C 010*****350010 8242A
VALIDATION OR SIGNATURE OF CASHIER

Mr. Niles W. Martin
917 Oakleigh Beach Road
Baltimore, Md 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
5th day of July, 1983

Petitioner Niles W. Martin
Petitioner's Attorney
Received by: *Arnold Jablon*
Arnold Jablon
Zoning Commissioner
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 8/20/83
Posted for: *Niles W. Martin*
Petitioner: *Niles W. Martin*
Location of property: *NE/corner of Larue and Geise Aves.*
Location of Sign: *Facing intersection of Larue and Geise Aves.*
Remarks: *Sign 2' x 4' x 1/2"*
Posted by: *Ed Jablon* Date of return: 8/26/83
Number of Signs: *2*

PETITION FOR VARIANCE

15th Section District

ZONING Petition for Variance

LOCATION: Northeast corner of

Larue and Geise Avenues

DATE & TIME: Tuesday, September 6, 1983 at 9:45 A.M.

PUBLIC HEARING: Room 106,

County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Variance to permit a side yard setback of 12 ft. instead of the required 25 ft. or a front yard setback of 12 ft. and a rear yard setback of 10 ft. in lieu of the required 25 ft. and 30 ft., respectively.

The Zoning Regulations to be executed as follows:

Section 1502.2.1, side front and rear yard setbacks in R-2.5.5 zone.

All that parcel of land in the 15th Section District of Baltimore County.

Beginning at a point on the north-west corner of Larue Ave. and Geise Avenue and known as lot 250 Section 8 of "Chesapeake Terrace" and recorded among the land records of Baltimore County in Plat Book 5 Folio 36.

Being the property of Niles W. Martin, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, September 6, 1983 at 9:45 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF

ARNOLD JABLON

Zoning Commissioner

of Baltimore County

PETITION FOR VARIANCE

15th Section District

ZONING Petition for Variance

LOCATION: Northeast corner of

Larue and Geise Avenues

DATE & TIME: Tuesday, September 6, 1983 at 9:45 A.M.

PUBLIC HEARING: Room 106,

County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Hearing Date: Tuesday, September 6, 1983 at 9:45 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF

ARNOLD JABLON

Zoning Commissioner

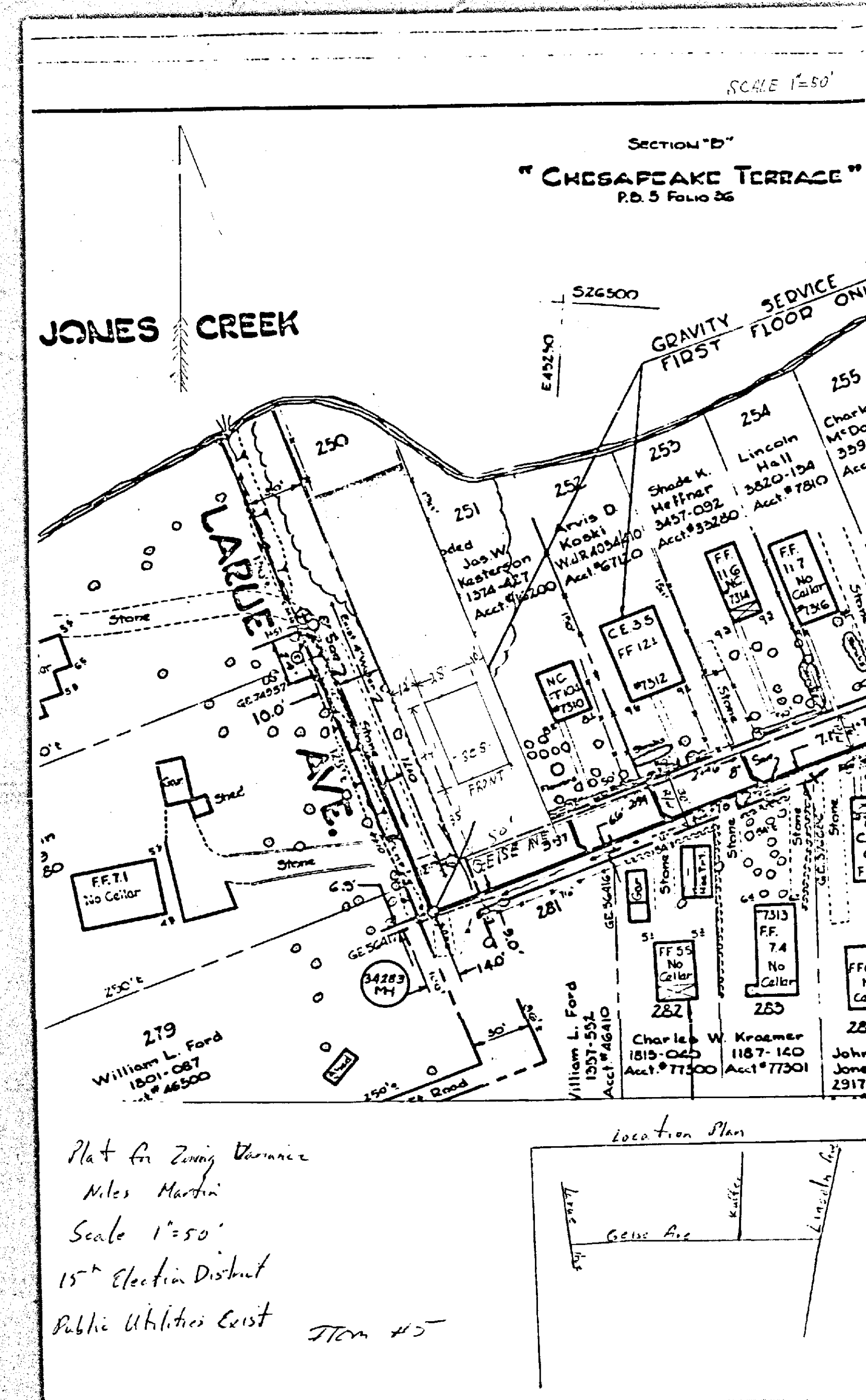
of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 18, 1983.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on ~~one time~~ one time before the 6th day of September, 1983, the ~~last~~ publication appearing on the 18th day of August, 1983.

THE JEFFERSONIAN,
L. L. Smith
Manager.
Cost of Advertisement, \$ 19.25



Plat for Zoning Variance
Niles Martin
Scale 1"=50'
15th Election District
Public Utilities Exist
From #15

